

**PB# 00-8**

**Destinta Theater (Amend.)  
(Never Materialized)**

**23-1-53.11**

Approved - 3-21-01

Plans not stamped - Project  
Never materialized

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 04/05/2001

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]  
A [Disap, Appr]

FOR PROJECT NUMBER: 0-8

NAME: DESTINTA THEATRES - PARTY ROOM CONVERSION  
APPLICANT: DESTINTA THEATRES - LESSEE

--DATE-- MEETING-PURPOSE-----ACTION-TAKEN-----

03/21/2001 FEES PAID - PROJECT NEV MATE CLOSE FILE  
. PROJECT NEVER WAS BUILT - HOWEVER, FEES WERE PAID BECAUSE  
. APPROVAL HAD BEEN GRANTED. - CLOSE FILE

06/14/2000 P.B. APPEARANCE LA:ND WVE PH APPR

05/18/2000 WORK SESSION APPEARANCE SUBMIT  
. NO REVIEW OF OTHER DEPARTMENTS NECESSARY - ESCROW \$250.00

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 04/05/2001

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LISTING OF PLANNING BOARD **FEES**  
**ESCROW**

FOR PROJECT NUMBER: 0-8

NAME: DESTINTA THEATRES - PARTY ROOM CONVERSION  
APPLICANT: DESTINTA THEATRES - LESSEE

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/06/2000	REC. CK. #1042	PAID		250.00	
06/14/2000	P.B. ATTY. FEE	CHG	35.00		
06/14/2000	P.B. MINUTES	CHG	45.00		
09/15/2000	P.B. ENGINEER FEE	CHG	104.00		
03/22/2001	RET. TO APPLICANT	CHG	66.00		
		TOTAL:	250.00	250.00	0.00



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4693

## OFFICE OF THE PLANNING BOARD

March 20, 2001

Destinta Theaters  
11 Kipp Avenue  
Lodi, NJ 07644

ATTN: MR. THOMAS RIZZO

SUBJECT: PLANNING BOARD FILE #00-08  
DESTINTA THEATER  
QUASSAICK AVENUE LOCATION  
CONVERSION OF SPACE TO PARTY AREA

Dear Mr. Rizzo:

As per our telephone conversation of this date, please find below an explanation of monies due the Town of New Windsor for Plan Review Fees of the subject project:

- ◆ Destinta to issue a check for Plan Review by Planning Board \$100.00  
(Please make check payable to The Town of New Windsor and mail to the above address, attention Myra Mason)
- ◆ To be sent to Destinta, return of balance of Escrow money posted by Destinta upon application (See Attached Print-out) \$ 66.00

Upon receipt of your check in the amount of \$100.00, a check will be issued to Destinta in the amount of \$66.00.

Thank you for your prompt attention to this matter and if you have any questions, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary to the Planning Board

MLM:mlm

9/15/00  
1/17/01

Notified  
Coppola

SITE PLAN FEES - TOWN OF NEW WINDSOR  
(INCLUDING SPECIAL PERMIT)

APPLICATION FEE:.....\$ 100.00

\*\*\*\*\*

ESCROW:

SITE PLANS (\$750.00 - \$2,000.00).....\$ 250.00

MULTI-FAMILY SITE PLANS:

UNITS @ \$25.00 PER UNIT (AFTER 40 UNITS).....\$ X

\*\*\*\*\*

PLAN REVIEW FEE: (EXCEPT MULTI-FAMILY) \$ 100.00 ①

PLAN REVIEW FEE (MULTI-FAMILY): A. ~~\$100.00~~  
PLUS \$25.00/UNIT B. ~~\_\_\_\_\_~~

TOTAL OF A & B: \$ \_\_\_\_\_

~~RECREATION FEE: (MULTI-FAMILY)~~

~~\$500.00 PER UNIT~~

~~NUMBER OF UNITS @ \$500.00 EA. EQUALS: \$ \_\_\_\_\_~~

~~SITE IMPROVEMENT COST ESTIMATE: \$ \_\_\_\_\_~~

~~2% OF COST ESTIMATE \$ \_\_\_\_\_ EQUALS \$ \_\_\_\_\_~~

TOTAL ESCROW PAID:.....\$ 250.00

TO BE DEDUCTED FROM ESCROW: 184.00

RETURN TO APPLICANT: \$ 66.00

ADDITIONAL DUE: \$ X

AS OF 09/18/2000

PAGE: 1

## CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NLWIN - TOWN OF NEW WINDSOR

TASK: 3- 8

FOR WORK DONE PRIOR TO: 09/18/2000

TASK NO	REC	DATE	TRAN	EMPL	ACT DESCRIPTION	RATE	HRS.	TIME	DOLLARS		
									EXP.	BILLED	BALANCE
0-8	165642	05/04/00	TIME	MJE	WS DESTINTA S/P AM	80.00	0.40	32.00			
0-8	165940	05/18/00	TIME	MJE	WS DESTINTA S/P AM	80.00	0.40	32.00			
0-8	168452	06/14/00	TIME	MJE	MC DESTINTA	80.00	0.40	32.00			
0-8	166889	06/15/00	TIME	MJE	MM Destinta Am APPD	80.00	0.10	8.00			
								104.00			
0-8	171108	07/14/00			BILL 00-682					-104.00	
										-104.00	
					TASK TOTAL			104.00	0.00	104.00	0.00
					GRAND TOTAL			104.00	0.00	-104.00	0.00

RESULTS OF P.B. MEETING OF: June 14, 2000

PROJECT: Destinta Theater - Party Room P.B.# 00-8

LEAD AGENCY:

1. AUTHORIZE COORD LETTER: Y\_\_ N\_\_
2. TAKE LEAD AGENCY: Y ☒ N\_\_

NEGATIVE DEC:

M) LN S) LN VOTE: A 4 N 0  
CARRIED: YES ☒ NO\_\_

M) LN S) LN VOTE: A 4 N 0  
CARRIED: YES ☒ NO\_\_

WAIVE PUBLIC HEARING: M) LN S) LN VOTE: A 4 N 0 WAIVED: Y ☒ N\_\_

SCHEDULE P.H. Y\_\_ N ☒

SEND TO O.C. PLANNING: Y\_\_

SEND TO DEPT. OF TRANSPORTATION: Y\_\_

REFER TO Z.B.A.: M)\_\_ S)\_\_ VOTE: A\_\_ N\_\_

RETURN TO WORK SHOP: YES\_\_ NO\_\_

APPROVAL:

M) LN S) LN VOTE: A 4 N 0 APPROVED: 6-14-00

M)\_\_ S)\_\_ VOTE: A\_\_ N\_\_ APPROVED CONDITIONALLY: \_\_\_\_\_

NEED NEW PLANS: Y\_\_ N\_\_

DISCUSSION/APPROVAL CONDITIONS:

65 spaces now for shared parking

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 06/15/2000

PAGE: 1

LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 0-8

NAME: DESTINTA THEATRES - PARTY ROOM CONVERSION  
APPLICANT: DESTINTA THEATRES - LESSEE

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	06/06/2000	EAF SUBMITTED	06/06/2000	WITH APPLICA
ORIG	06/06/2000	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG	06/06/2000	LEAD AGENCY DECLARED	06/14/2000	TOOK LA
ORIG	06/06/2000	DECLARATION (POS/NEG)	06/14/2000	DECL. NEG DEC
ORIG	06/06/2000	SCHEDULE PUBLIC HEARING	/ /	
ORIG	06/06/2000	PUBLIC HEARING HELD	/ /	
ORIG	06/06/2000	WAIVE PUBLIC HEARING	06/14/2000	WAIVE PH
ORIG	06/06/2000	AGRICULTURAL NOTICES	/ /	

DESTINTA THEATRE AMENDED SITE PLAN (00-08)

Mr. Jay Coppola appeared before the board for this proposal.

MR. PETRO: Conversion of the existing beauty parlor to party room for theater use.

MR. PETRO: That almost sounds like something you almost could have done, what is it complicated because of the shared parking?

MR. EDSALL: Parking, that's the only issue. Maybe to clarify, Mr. Chairman, explain why they're here since it involves absolutely no changes to the outside site improvements, purely an issue that you have reviewed the entire complex for shared parking and because they are changing the components slightly and I use the word slightly because that's what it is, we wanted to have you have the opportunity to see it.

MR. PETRO: Why don't you make a quick--

MR. COPPOLA: That's what it is, it's no change to the exterior footprint, there's a space next to the existing theater, it's 1,240 square feet, there was previously a beauty parlor nestled in right here, it's adjacent, if you're inside the theater, it would be there's a video room that's kind of in front and you'll be able to access through the existing video room. Basically, what we're proposing a quick look on the inside is this would be the front of the theater here, this would actually be kitchen, men's room, women's room, parking lot facing Route 94 is this way, we're proposing two party rooms, it's a long rectangular space, one accessible from the front, one accessible from behind the rear, so they can be used independently, we're putting occupancy of 33 people in each of the rooms based on the building code and basically--

MR. PETRO: How many rooms is it?

MR. COPPOLA: Two.

MR. PETRO: So 66 people?

MR. COPPOLA: Correct.

MR. PETRO: Is there seating?

MR. COPPOLA: No, non-fixed, non-fixed seating.

MR. BABCOCK: There is setting.

MR. EDSALL: Movable chairs.

MR. PETRO: How many parking spots was allowed for the space prior?

MR. COPPOLA: Okay, 6 on the approved site plan as a beauty parlor so we're calculating a total of 66 people parking calculated at one space per three seats, so you need 22 spaces for that new use.

MR. PETRO: One for three seats, usually that's fixed seats more for--

MR. EDSALL: No, it's seating, see, again, what we discussed in the workshop was that they're not proposing it as separate use, they're proposing it as a use that's accessory or parallel complimentary with the theater that they'll, actually, part of the party package includes going to the movies, so it's the same kids or same people.

MR. PETRO: They're already in a spot.

MR. EDSALL: They're going to move from one seat to another.

MR. PETRO: Their car's already in a spot.

MR. EDSALL: It's the same people we wanted you to see it so you can approve it.

MR. KRIEGER: That's true but when they move spots, they vacate another seat. If they're not in the theater seat, somebody else can be in the theater seat, it can be, I said can be, not necessarily will be, but

can be.

MR. PETRO: Can't they, I'm sorry, can't this room also be leased out or rented out other than for theater people?

MR. COPPOLA: Independent, I don't think so, we wouldn't make it independent of going to a movie.

MR. PETRO: I can't book a birthday party for my son?

MR. COPPOLA: Not without going to a movie, it's a package. In terms of the numbers there's 576 total parking spaces, the beauty parlor previously was 6, we would technically be required to make 22 for this conversion of this space so we're only talking about a double counting of 16 spaces out of that existing 576 so we're kind of making argument that it is a complimentary use, it's an enormous parking lot that's probably never been filled and it's such a small percentage of what's there that we can easily accommodate those existing 16 spaces.

MR. PETRO: I would normally agree, you already had a variance for hundreds of parking spots on the 500.

MR. KRIEGER: Yes, that brings up another question, even if this planning board were to approve the site plan, if they are in excess of the variance, are they now in violation of the variance they got from the zoning board? I merely offer that as a question.

MR. LANDER: If they got a approval for this, they might be.

MR. KRIEGER: But what I'm saying is if they, even this, if they were to get approval from this board, that doesn't necessarily mean that they have all the necessary approvals cause they were limited in the variance they got.

MR. PETRO: What was the variance for?

MR. COPPOLA: 49 spaces are estimated for dual use, I wasn't aware.

MR. EDSALL: It wasn't a variance, the law, the zoning law allows you to consider shared use of parking, if they can demonstrate that while one business may be closed, another business has its demand so this board reviewed a fairly complex, I'm sure you remember Mr. Kartiganer's multiple presentations of shared parking.

MR. PETRO: I'll rephrase my statement then. It was not the variance but we allowed through shared parking probably hundreds of spots less than would have been required if we did not use the shared parking law.

MR. COPPOLA: No, site plan states 49 spaces for the use.

MR. EDSALL: 49 out of a required, there was no shared consideration 625.

MR. COPPOLA: That's correct.

MR. LANDER: You have 576 on there now?

MR. COPPOLA: That's correct.

MR. LANDER: I've never seen cars parked in that lot.

MR. EDSALL: It's about 8 percent shared.

MR. LANDER: I've never seen anybody in the back parking lot, many people won't walk that far, number 1, and number 2, unless former Occupations building was occupied, then you might start using them.

MR. COPPOLA: That's noted on here, that's a counterpart, there are other future spaces, future occupancies counted in the 576.

MR. LANDER: I know they're counted in there but what I am saying you still could, I'm saying at this point in time, I haven't seen many cars go passed that former Occupations building, I have seen them in front of that but not in the huge lot on the back side, the east end of the parking lot.

MR. COPPOLA: Okay.

MR. PETRO: Don't you have a karate school going in that building now? It's not occupied now, karate?

MR. COPPOLA: I'm not aware of what the owner's doing, no, I'm not.

MR. PETRO: Why was there only six for the beauty salon.

MR. EDSALL: One per 200 for 1,240 square feet.

MR. BABCOCK: That's the problem based on that then, the only way that I felt that this should happen is that it gets the blessing of this board which you allowed sharing of 49 spaces, you need to allow 16 more spaces.

MR. COPPOLA: Sixteen additional shared spaces.

MR. BABCOCK: There's also one item that was happening at the plaza, which is no problem of this, it should come to the attention of the planning board that some tenants were dedicating parking spots to their own private use and I think we should address that only quickly, nothing to do with this tenant, that I don't think the planning board intended on any parking spot to be privately used by anybody.

MR. PETRO: That's a common problem with every strip mall, where the bakery is down here, keep going back to that or H & R Block, it's a nightmare.

MR. BABCOCK: That's correct.

MR. PETRO: Okay, I've heard enough, anybody have a problem with this?

MR. KRIEGER: The only thing I was going to say, Mr. Chairman, is just for your enlightenment, the occupancy of the vacant buildings, the former Occupations and former pharmacy is also vacant, has nothing to do with this applicant before the board because this applicant is a tenant, not the owner of the shopping center, they

don't own or have any control over any of those other portions, so they wouldn't have any knowledge one way or the other.

MR. PETRO: We do have a proxy?

MS. MASON: Yes.

MR. PETRO: Mark, do you have any other outstanding issues for this tenant?

MR. EDSALL: No, once this is done, maybe we can make one comment on the issue Mike brought up.

MR. PETRO: We have to go through the whole procedure?

MR. EDSALL: I would suggest that you do so.

MR. PETRO: Motion for lead agency.

MR. LUCAS: Make it.

MR. LANDER: Second it.

MR. PETRO: Motion's been made and seconded that the Town of New Windsor Planning Board declare itself lead agency for the Destinta party rooms. Is there any further discussion? If not, roll call.

ROLL CALL

MR. BRESNAN	AYE
MR. LUCAS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: Motion to waive the public hearing under its discretionary judgment?

MR. LUCAS: Make it.

MR. LANDER: Second it.

MR. PETRO: Motion's been made and seconded that the Town of New Windsor Planning Board waive public hearing

under discretionary judgment for the Destinta Theater.  
Is there any further discussion? If not, roll call.

ROLL CALL

MR. BRESNAN	AYE
MR. LUCAS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: Motion for negative dec?

MR. LANDER: So moved.

MR. LANDER: Second it.

MR. LUCAS: Motion has been made and seconded that the Town of New Windsor Planning Board declare negative dec for the Destinta Theater site plan amendment. Is there any further discussion? If not, roll call.

ROLL CALL

MR. BRESNAN	AYE
MR. LUCAS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: Is there any further comments from any of the board members?

MR. LUCAS: Yeah, just I note though they, if they do decide to develop the two bigger parcels, then it will encroach on that parking area and it will be more of a concern, right?

MR. PETRO: What areas, Mike?

MR. LUCAS: They take the two larger parcels, the old theater and they come in, then it will be a concern.

MR. PETRO: I'm not so sure because did we, it was part of the site plan, correct?

MR. EDSALL: Anything that's even vacant now has

parking assigned to it.

MR. BABCOCK: As long as they keep the same use.

MR. EDSALL: If they change the use, you have to reconsider it like the old theater building, has 55 parking spaces assessed to it.

MR. LUCAS: As a theater?

MR. BABCOCK: No, as a, I think it's retail, if they make a restaurant out of that, Mike, that will change, they may want to make a restaurant, one for each three seats, they want to put 300 seats, whatever would fit in the building, that would increase the parking, they would be back.

MR. LUCAS: Okay.

MR. PETRO: Motion for final approval.

MR. LUCAS: Make it.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the Town of New Windsor Planning Board grant final approval to the Destina Theater site plan amendment on Route 94. Is there any further discussion from the board members? If not, roll call. Before we do a roll call, Andy, you mentioned about the zoning board, I think that it's so minor in nature that we can just do a final approval here and then continue on and do you have any objections?

MR. KRIEGER: The board is independent of that board anyway.

MR. PETRO: We really have nothing to say.

MR. KRIEGER: It doesn't matter what you do.

MR. PETRO: Unless the building inspector feels there is a major problem, I think you're good to go. Is that all right with you? Well, Andy brought up a zoning

board issue that they be exceeding the variance, I feel that it is minor in nature and that we should not enforce that and have them go back.

MR. EDSALL: They never had a variance, the law allows you to consider the shared parking, so there's no, there was no variance, nor is there a need to send them for a variance.

MR. PETRO: We're going to--

MR. EDSALL: Just increasing the amount of shared parking.

MR. BABCOCK: It's 49 before, 16 extra, it's good to have the numbers so that would be 57 spaces.

MR. PETRO: 65 spaces shared parking, we still have the motion now we'll do a roll call.

ROLL CALL

MR. BRESNAN	AYE
MR. LUCAS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. EDSALL: On the issue of the signs, it's my suggestion that some action be taken to take those reserved parking signs and ask the tenants to remove them because in the case of the bank, the bank parking is now marked as being reserved for the bank, but the shared parking approval makes those spaces available for night uses so we really shouldn't have people starting to carve out their own little sections of the parking lot and putting up effectively signs in violation of the approved site plan. It's going to get out of hand, I just think it might be good to nip it in the bud here, otherwise, the hold shared concept.

MR. PETRO: How, through the building department?

MR. EDSALL: Probably just ask them to voluntarily ask them to take them down, they're not supposed to be there.

June 14, 2000

30

MR. PETRO: Okay, thank you.



**McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.  
JAMES M. FARR, P.E.

Licensed in NEW YORK, NEW JERSEY  
and PENNSYLVANIA


- ☐ **Main Office**  
45 Quassaick Ave. (Route 9W)  
New Windsor, New York 12553  
(914) 562-8640  
e-mail: mheny@att.net
- ☐ **Regional Office**  
507 Broad Street  
Milford, Pennsylvania 18337  
(570) 296-2765  
e-mail: mhepa@ptd.net

**TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS**

**PROJECT NAME:** DESTINTA THEATRES SITE PLAN AMENDMENT  
(PARTY ROOMS)  
**PROJECT LOCATION:** NYS ROUTE 94  
SECTION 23 – BLOCK 1 – LOT 53.11  
**PROJECT NUMBER:** 00-8  
**DATE:** 14 JUNE 2000  
**DESCRIPTION:** THE APPLICATION PROPOSES THE CONVERSION  
OF INTERIOR AREAS INTO TWO (2) PARTY ROOMS.

1. No exterior modifications to the site are proposed as part of this application. The application is limited to a request to convert interior an interior area into two (2) party rooms to operate as an accessory to the theater operation (party rooms will not be an independent operation). It is also my understanding that two (2) previously approved theater areas will not be constructed, although the total number of theater seats already exist in the constructed theaters.
2. It is my opinion that the only issue for the Planning Board for this application is adequate parking. The board should discuss this issue with the applicant.
3. Prior to considering approval of this site plan amendment, the Planning Board should determine if a Public Hearing is necessary and complete the SEQRA review process.

Respectfully Submitted,



Mark J. Edsall, P.E.  
Planning Board Engineer

NW00-08-14Jun00.doc

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 06/14/2000

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]  
O [Disap, Appr]

FOR PROJECT NUMBER: 0-8

NAME: DESTINTA THEATRES - PARTY ROOM CONVERSION  
APPLICANT: DESTINTA THEATRES - LESSEE

--DATE-- MEETING-PURPOSE-----ACTION-TAKEN-----

05/18/2000 WORK SESSION APPEARANCE SUBMIT  
. NO REVIEW OF OTHER DEPARTMENTS NECESSARY - ESCROW \$250.00

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 06/14/2000

PAGE: 1

LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 0-8

NAME: DESTINTA THEATRES - PARTY ROOM CONVERSION  
APPLICANT: DESTINTA THEATRES - LESSEE

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	06/06/2000	EAF SUBMITTED	06/06/2000	WITH APPLICA
ORIG	06/06/2000	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG	06/06/2000	LEAD AGENCY DECLARED	/ /	
ORIG	06/06/2000	DECLARATION (POS/NEG)	/ /	
ORIG	06/06/2000	SCHEDULE PUBLIC HEARING	/ /	
ORIG	06/06/2000	PUBLIC HEARING HELD	/ /	
ORIG	06/06/2000	WAIVE PUBLIC HEARING	/ /	
ORIG	06/06/2000	AGRICULTURAL NOTICES	/ /	

**Tuesday, May 16, 2000**

Town of New Windsor Planning Board  
Union Ave.  
New Windsor, N.Y.  
Attention: Myra

**Project: Destinta Theaters – Conversion of Beauty Parlor to Party Rooms**

Dear Mr. Chairman,

As per our planning board workshop session here are some of the existing items we have discovered regarding the existing parking calculations taken from the signed site plan:

1. The Beauty Parlor has been currently allotted 6 spaces.
2. The Theater seats had been noted as a total of 1720. The actual number is 1714. A difference of only 6 seats. The total theater parking is 430 spaces.
3. There is a total of 576 actual parking spaces at the site.

The proposed Party Room is 1240 SF gross. There is no expansion to the footprint of the space – only an interior conversion. We calculate the parking required as follows: 1240 SF gross less 20% circulation = 992 SF for Party Rooms @ 1 seat per 15 SF = 66 Seats. Parking calculated at 1 space per 3 seats. Total required spaces for the new Party Rooms = 22 spaces.

This leaves a deficiency of 16 spaces. We are asking the planning board to count these new spaces as being the same as 16 existing theater parking spaces. We offer the following reasons:

- Patrons who come to the site will be there for a party and a movie. The party room is not being used as a separate entity. It is being used only in connection with the existing theater patrons.
- The number of spaces we are asking for is 16. That represents less than 4% of the theater parking.
- This existing parking lot has never been filled to capacity.

The existing site plan will also not be modified. Please give me a call if you have any other questions.

Very Truly Yours,



Anthony Coppola, R.A.

CC: Destinta Theaters

RECEIVED

JUN - 6 2000

00-8

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 06/06/2000

PAGE: 1

LISTING OF PLANNING BOARD **FEES**  
**ESCROW**

FOR PROJECT NUMBER: 0-8

NAME: DESTINTA THEATRES - PARTY ROOM CONVERSION  
APPLICANT: DESTINTA THEATRES - LESSEE

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/06/2000	REC. CK. #1042	PAID		250.00	
		TOTAL:	0.00	250.00	-250.00



Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553  
(914) 583-4811

**RECEIPT  
#432-2000**

06/06/2000

Theaters, Destinta

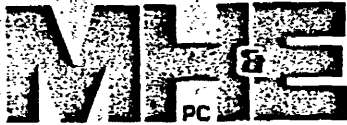
Received \$ 100.00 for Planning Board Fees, on 06/06/2000. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Dorothy H. Hansen  
Town Clerk

P.B. # 00-08

ck # 1041



**McGOEY, HAUSER and EDSALL**  
**CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.  
JAMES M. FARR, P.E.

- ☐ **Main Office**  
45 Quassaick Ave. (Route 9W)  
New Windsor, New York 12553  
(914) 562-8640
- ☐ **Branch Office**  
507 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765

**PLANNING BOARD WORK SESSION**  
**RECORD OF APPEARANCE**

TOWN/VILLAGE OF New Windsor P/B <sup>1-3</sup> 00-8

WORK SESSION DATE: 18 May 2000 APPLICANT RESUB. REQUIRED: Full App

REAPPEARANCE AT W/S REQUESTED: NO

PROJECT NAME: Destin'ta

PROJECT STATUS: NEW X OLD       

REPRESENTATIVE PRESENT: Martha Kenwood/Anthony Caporale

MUNIC REPS PRESENT: BLDG INSP.         
FIRE INSP.         
ENGINEER         
PLANNER         
P/B CHMN.         
OTHER (Specify)       

**ITEMS TO BE ADDRESSED ON RESUBMITTAL:**

1714 seats - 1720 on plan -  
ie. no excess seating/pkgs spare - they virtually  
built all seats of 14 theaters in 12 theaters. So they  
must sell planning board on party rooms are  
same people as theater seats.

No review by Depts. Necessary

We called: Will be ready  
for first Agenda in June

pbwsform 10MJE98

**CLOSING STATUS**

X Set for agenda  
possible agenda item  
Discussion item for agenda  
ZBA referral on agenda

Submit:  
5 Copies  
ESCROW  
250.00  
Applic.  
100.00

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553  
Telephone: (914) 563-4615  
Fax: (914) 563-4693

## PLANNING BOARD APPLICATION

### TYPE OF APPLICATION (check appropriate item):

Subdivision \_\_\_\_\_ Lot Line Change \_\_\_\_\_ Site Plan \_\_\_\_\_ Special Permit \_\_\_\_\_

Tax Map Designation: Sec. **23** Block **1** Lot **53.11**

1. Name of Project **Party Room Conversion - Destinta Theatres**

**JMR Associates, LLC**

2. Owner of Record **Martin Kenwood, Managing Member** Phone **973-278-2200**

Address: **1 Garrett Mountain Plaza, West Patterson, NJ 07424**

(Street Name & Number) (Post Office) (State) (Zip)

(Larry Haber CFO, Tom Rizzo CEO)

3. Name of Applicant **Destinta Theatres - Lessee** Phone **973-473-8002**

Address: **11 Kipp Avenue, Lodi, NJ 07644**

(Street Name & Number) (Post Office) (State) (Zip)

4. Person Preparing Plan **Anthony J. Coppola, R.A.** Phone **561-3559**

Address: **375 Third Street, Newburgh, NY 12550**

(Street Name & Number) (Post Office) (State) (Zip)

5. Attorney \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_

(Street Name & Number) (Post Office) (State) (Zip)

6. Person to be notified to appear at Planning Board meeting:

**Anthony J. Coppola**

**561-3559**

(Name)

(Phone)

7. Project Location:

On the **east** side of **Quassaick Avenue** \_\_\_\_\_ feet

(Direction)

(Street)

(No.)

\_\_\_\_\_ of \_\_\_\_\_

(Direction)

(Street)

8. Project Data: Acreage **9.25** Zone **512** School **Newburgh Enlarged**

PAGE 1 OF 2

( PLEASE DO NOT COPY 1 & 2 AS ONE PAGE TWO-SIDED)

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9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Yes \_\_\_\_\_ No X

**\*This information can be verified in the Assessor's Office.**

**\*If you answer yes to question 9, please complete the attached AAgricultural Data Statement.**

10. Description of Project: (Use, Size, Number of Lots, etc.) interior conversion of existing beauty parlor space into party rooms - 1,240 SF

11. Has the Zoning Board of Appeals Granted any Variances for this property? yes \_\_\_\_\_ no X

12. Has a Special Permit previously been granted for this property? yes \_\_\_\_\_ no X

**ACKNOWLEDGMENT:**

IF THIS ACKNOWLEDGMENT IS COMPLETED BY ANYONE OTHER THAN THE PROPERTY OWNER, A SEPARATE NOTARIZED STATEMENT OR PROXY STATEMENT FROM THE OWNER MUST BE SUBMITTED, AT THE TIME OF APPLICATION, AUTHORIZING THIS APPLICATION.

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

THE UNDERSIGNED APPLICANT, BEING DULY SWORN, DEPOSES AND STATES THAT THE INFORMATION, STATEMENTS AND REPRESENTATIONS CONTAINED IN THIS APPLICATION AND SUPPORTING DOCUMENTS AND DRAWINGS ARE TRUE AND ACCURATE TO THE BEST OF HIS/HER KNOWLEDGE AND/OR BELIEF. THE APPLICANT FURTHER ACKNOWLEDGES RESPONSIBILITY TO THE TOWN FOR ALL FEES AND COSTS ASSOCIATED WITH THE REVIEW OF THIS APPLICATION.

SWORN BEFORE ME THIS:

31st DAY OF May 2000

[Signature]  
NOTARY PUBLIC

**FRANCIS-John LOACONO**

**NOTARY PUBLIC OF NEW JERSEY**

**MY COMMISSION EXPIRES MAY 24, 2005**

TOWN USE **RECEIVED**

JUN - 6 2000

DATE APPLICATION RECEIVED

[Signature]  
APPLICANT'S SIGNATURE

LARRY HALL, CEO DESTINY THEATRES, LLC  
Please Print Applicant's Name as Signed

**00-8**

APPLICATION NUMBER

**APPLICANT/OWNER PROXY STATEMENT**  
(for professional representation)

for submittal to the:  
TOWN OF NEW WINDSOR PLANNING BOARD

**JMR ASSOCIATES, LLC**

**Martin Kenwood, MANAGING MEMBER**  
(OWNER)

deposes and says that he resides

at **1 Garrett Mountain Plaza, West Patterson, NJ 07424**  
(OWNER'S ADDRESS)

in the County of **PASSAIC**

and State of **New Jersey** and that he is the owner of property tax map

(Sec. \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_)  
designation number (Sec. **23** Block **1** Lot **53.11**) which is the premises described in

the foregoing application and that he authorizes:

**Destinta Theatres-Larry Haber, CEO**

(Applicant Name & Address, if different from owner)

**Anthony J. Coppola, Architect**

(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: **5/25/00**

**Wm. C. Wenging**  
Witness' Signature

**Martin Kenwood**  
Owner's Signature **JMR ASSOCIATES, LLC.**

**Larry Haber, CEO**  
Applicant's Signature if different than owner **DESTINTA THEATRES, LLC**

\_\_\_\_\_  
Representative's Signature

**THIS FORM CANNOT BE WITNESSED BY THE PERSON OR  
REPRESENTATIVE OF THE COMPANY WHO IS BEING AUTHORIZED TO  
REPRESENT THE APPLICANT AND/OR OWNER AT THE MEETINGS.**

**00-8**

**APPLICANT/OWNER PROXY STATEMENT**  
**(for professional representation)**

for submittal to the:  
TOWN OF NEW WINDSOR PLANNING BOARD

**JMR ASSOCIATES, LLC**

**Martin Kenwood, MANAGING MEMBER**, deposes and says that he resides  
(OWNER)

at **1 Garrett Mountain Plaza, West Patterson, NJ 07424** in the County of **PASSAIC**  
(OWNER'S ADDRESS)

and State of **New Jersey** and that he is the owner of property tax map

(Sec. \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_)  
designation number (Sec. **23** Block **1** Lot **53.11**) which is the premises described in

the foregoing application and that he authorizes:

**Destinta Theatres-Larry Haber**

(Applicant Name & Address, if different from owner)

**Anthony J. Coppola, Architect**

(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: 5/25/00

*Wm C. Wiegley*  
Witness' Signature

*Martin Kenwood*  
Owner's Signature **JMR ASSOCIATES, LLC.**

\_\_\_\_\_  
Applicant's Signature if different than owner

\_\_\_\_\_  
Representative's Signature

**THIS FORM CANNOT BE WITNESSED BY THE PERSON OR  
REPRESENTATIVE OF THE COMPANY WHO IS BEING AUTHORIZED TO  
REPRESENT THE APPLICANT AND/OR OWNER AT THE MEETINGS.**

**00-8**

PROJECT I.D. NUMBER

617.21

SEQR

Appendix C

State Environmental Quality Review

**SHORT ENVIRONMENTAL ASSESSMENT FORM**

For UNLISTED ACTIONS Only

**PART I—PROJECT INFORMATION** (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR <b>Destinta Theatres, LLC</b>	2. PROJECT NAME <b>Party room conversion</b>
3. PROJECT LOCATION: Municipality <b>Town of New Windsor</b> County <b>Orange</b>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <b>East side of Quassaick Avenue South of Union Avenue</b>	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <b>Interior conversion of existing beauty parlor into party rooms - 1,240 SF</b>	
7. AMOUNT OF LAND AFFECTED: Initially _____ acres Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permit/approvals	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <b>DESTINTA THEATRES, LLC</b>	Date: <b>5-30-00</b>
Signature: <b>Perry Hall, CEO, DESTINTA THEATRES, LLC</b>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

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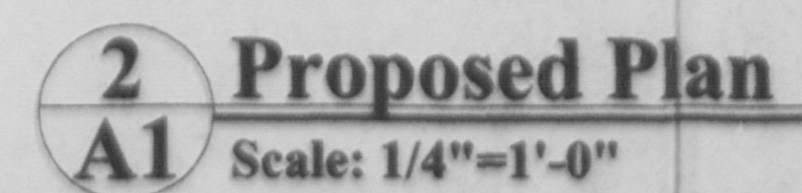
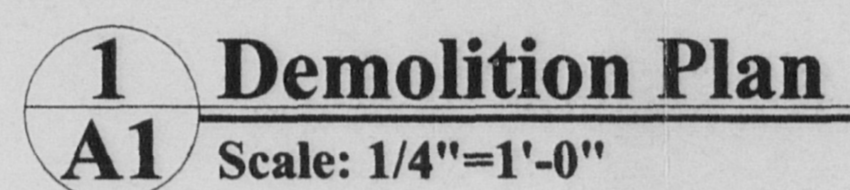
**PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)**

<b>A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12?</b> If yes, coordinate the review process and use the FULL EAF. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6?</b> If No, a negative declaration may be superseded by another involved agency. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING:</b> (Answers may be handwritten, if legible) C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:  no  C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:  no  C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:  no  C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:  no  C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:  no  C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:  no  C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:  no	
<b>D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, explain briefly	

**PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.


<input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which <b>MAY</b> occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action <b>WILL NOT</b> result in any significant adverse environmental impacts <b>AND</b> provide on attachments as necessary, the reasons supporting this determination:	
Name of Lead Agency _____	
Print or Type Name of Responsible Officer in Lead Agency _____	Title of Responsible Officer _____
Signature of Responsible Officer in Lead Agency _____	Signature of Preparer (If different from responsible officer) _____
Date _____	



**Anthony J. Coppola**  
Design, Architecture and Planning  
375 Third St., Newburgh, N.Y. 12550  
Tel: 914-561-3559  
Fax: 914-561-2051  
Email: [ajcarch@ny.frontiercomm.net](mailto:ajcarch@ny.frontiercomm.net)  
Website: <http://ny.frontiercomm.net/~ajcarch>

License Number: 018849

Party Room Conversion for  
**Destinta Theatres**  
Town of New Windsor, New York

	Revisions

Drawn By:  
MS

Date:  
5/19/00

SCALE:

**AS NOTED**

PROJECT NUMBER

**00-36**

Sheet No.

FLOOR PLANS

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Of 3

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